



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2005-00880-Y4

Issue Date: September 8, 2005

Expiration Date: October 7, 2005

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: NYC Economic Development Corporation
110 Williams Street
New York, NY 10038

ACTIVITY: Dredge with 10 years maintenance and upland disposal

WATERWAY: New York Harbor

LOCATION: Borough of Staten Island, Richmond County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,
otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with

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particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are known sites eligible for, or included in, the Register within the permit area. The District Engineer is performing required coordination with the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act of 1966.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

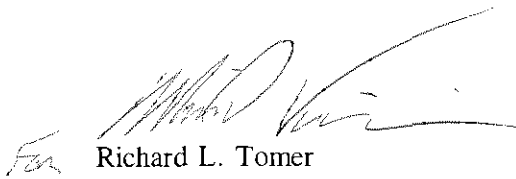
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New York State Department of Environmental Conservation Permit

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It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8514 and ask for Sophie Ettinger.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, NYC Economic Development Corporation, has requested Department of the Army authorization to dredge, with ten years maintenance and subsequent upland disposal, in New York Harbor at the Borough of Staten Island, Richmond County, New York.

The work would involve dredging, by environmental clamshell bucket, an existing 330 linear foot by 100 foot berth on the south side of the Homeport Pier. Approximately 81,630 cubic yards of material would be removed initially to a depth of approximately 36.0 feet below the plane of mean low water, with a two (2) foot allowable overdepth. During dredging, silt curtains, silt booms, and floating absorbent booms would be placed around the dredging operation area in order to mitigate turbidity caused by the activity.

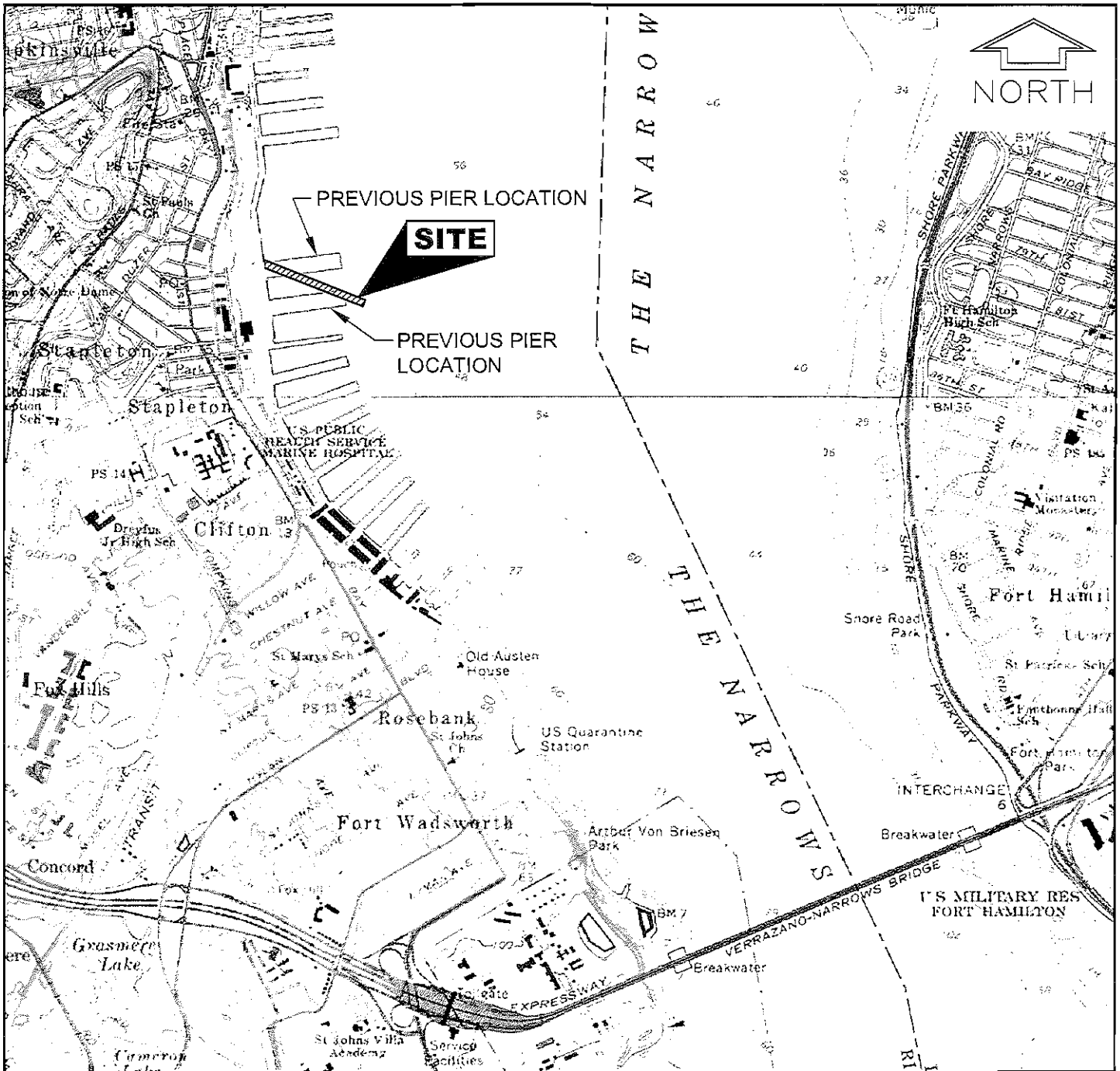
The dredge material would be placed into scows for dewatering prior to transport to a dredge material processing facility. Decant water would be pumped from the dredge scow into a holding scow on site and allowed to settle for 24 hours before returning to the waterbody. Barge overflow is not proposed. The dredge material is proposed for amendment and stabilization by mixing of dry additives (Portland cement, fly ash, or kiln dust) to achieve a stabilized fill material.

Disposal of all dredge material would occur at a state-approved upland disposal site after physical amendment. At this time, it is uncertain, whether the dredged material would be taken to a facility for placement in New York City (the New York City Department of Sanitation Fresh Kills Landfill) or New Jersey (ENCAP, FDP-Intermodal, etc.).

Three additional events are anticipated during the ten year life of the permit, with anticipated removal of approximately 20,000 cubic yards of material per event.

The last dredging activity at this berth was performed by the U.S. Army Corps of Engineers, New York District in November 1992 under USACE Contract DACW51-92-B-0039.

The stated purpose of this project is to restore the navigable depths of the south berth in order to support future lay berthing.



TAKEN FROM MAPTECH
USGS TOPOGRAPHIC MAPS
CATSKILLS/NEW YORK CITY/
LONG ISLAND - EDITION 1

VICINITY MAP

0 2000 4000 FEET



SCALE

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO RESTORE AUTHORIZED BERTH DEPTHS

DATUM: NOAA MLLW

ADJACENT PROPERTY OWNERS:
SEE APPLICATION

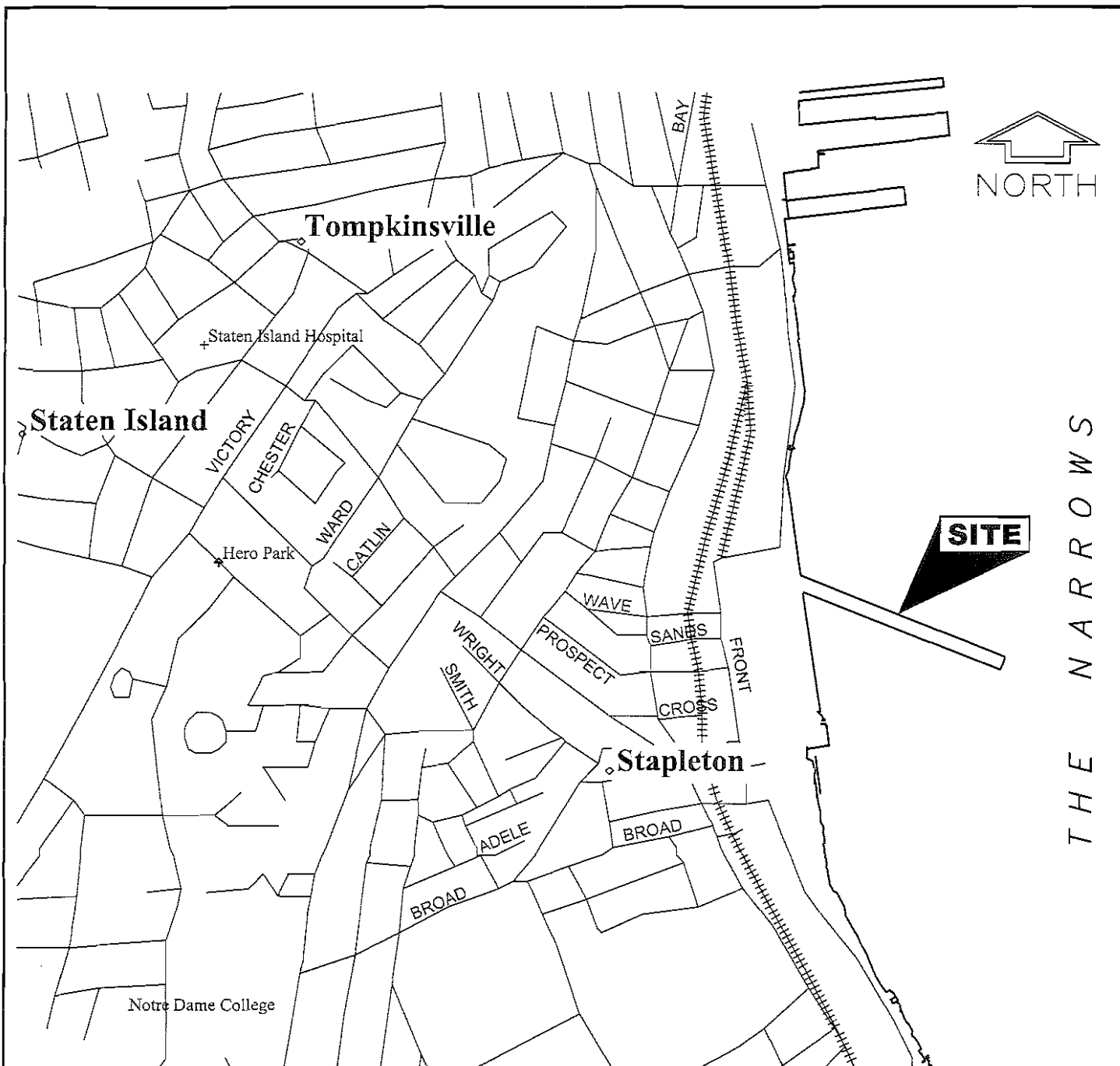
AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED MAINTENANCE DREDGING OF HOMEPORT PIER
THE NARROWS
BOROUGH OF STATEN ISLAND
COUNTY OF RICHMOND
STATE OF NEW YORK

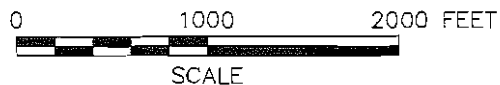
APPLICATION BY: NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION

DATE: 6/20/05

SHEET 1 OF 4



EXISTING SITE PLAN



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO RESTORE AUTHORIZED BERTH DEPTHS

DATUM: NOAA MLLW

ADJACENT PROPERTY OWNERS:
SEE APPLICATION

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED MAINTENANCE DREDGING OF HOMEPORT PIER
THE NARROWS
BOROUGH OF STATEN ISLAND
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STATE OF NEW YORK

APPLICATION BY: NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION

DATE: 6/20/05

SHEET 2 OF 4

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

DATE: 6/20/05

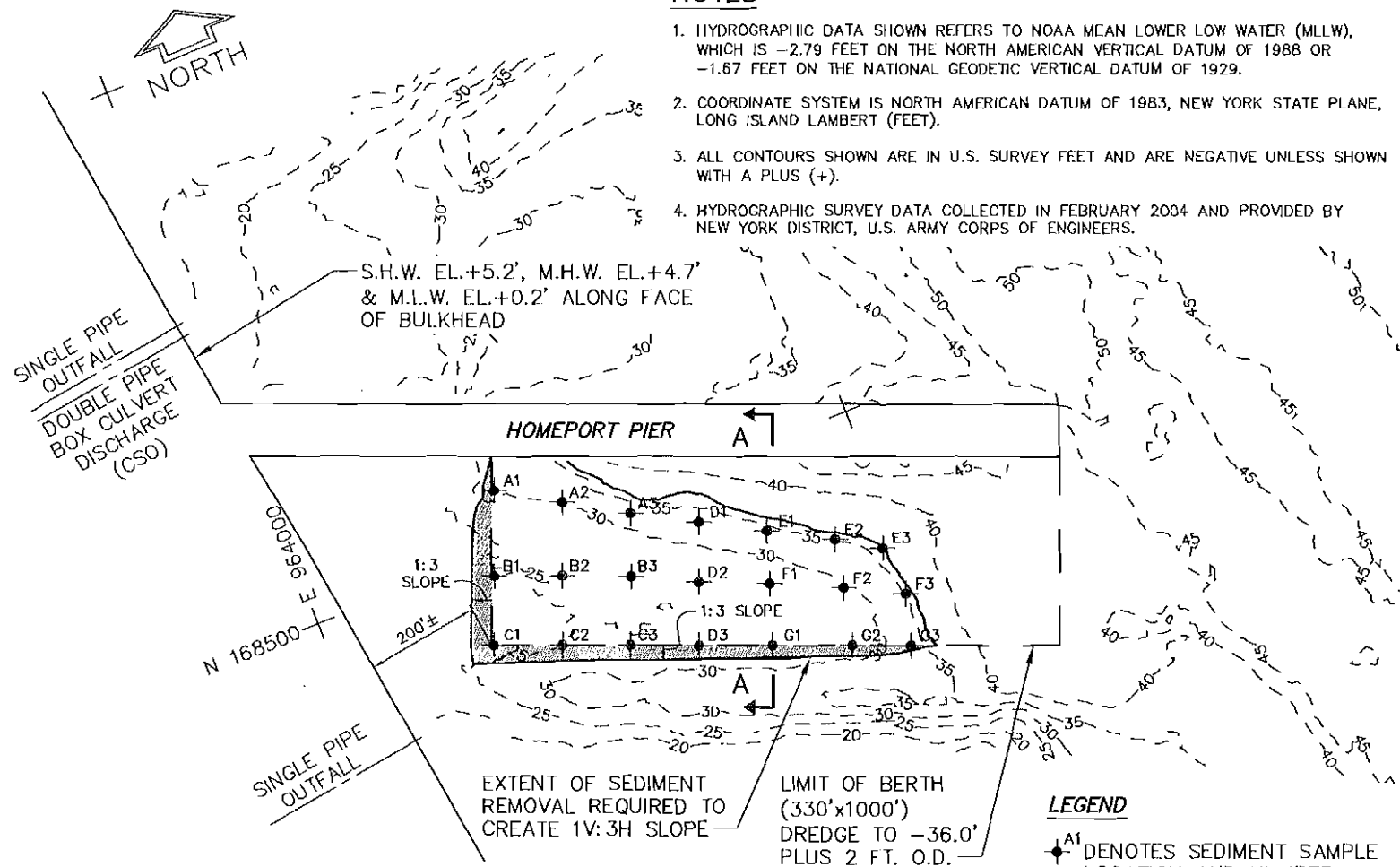
SHEET 3 OF 4

PURPOSE: TO RESTORE AUTHORIZED BERTH DEPTHS

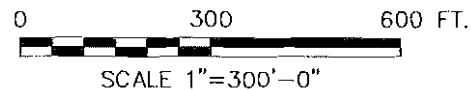
DATUM: NOAA MLLW

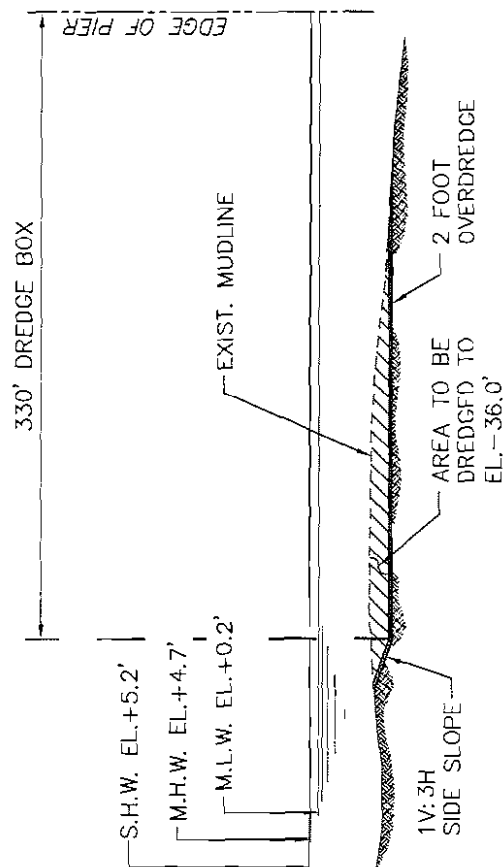
ADJACENT PROPERTY OWNERS:
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PROPOSED MAINTENANCE DREDGING OF HOMEPORT PIER

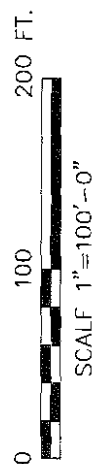
THE NARROWS
BOROUGH OF STATEN ISLAND
COUNTY OF RICHMOND
STATE OF NEW YORKAPPLICATION BY: NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION**SAMPLE COMPOSITING SCHEME**

COMPOSITE	DISCRETE SAMPLES
A	A1, A2, A3
B	B1, B2, B3
C	C1, C2, C3
D	D1, D2, D3
E	E1, E2, E3
F	F1, F2, F3
G	G1, G2, G3

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION**PROPOSED DREDGING PLAN**



SECTION A-A



DREDGE VOLUME

PROJECT DESIGN VOLUME (TO -36.0 FEET MLLW) = 62,810 CUBIC YARDS
 2 FT. ALLOWABLE OVERDEPTH = 18,820 CUBIC YARDS
 TOTAL PROJECT VOLUME = 81,630 CUBIC YARDS

FOR PERMIT USE ONLY
 NOT FOR CONSTRUCTION

PURPOSE: TO RESTORE AUTHORIZED BERTH DEPTHS

DATUM: NOAA MLLW

ADJACENT PROPERTY OWNERS:
 SEE APPLICATION

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED MAINTENANCE DREDGING OF HOMEPORT PIER
 THE NARROWS
 BOROUGH OF STATEN ISLAND
 COUNTY OF RICHMOND
 STATE OF NEW YORK

APPLICATION BY: NEW YORK CITY ECONOMIC
 DEVELOPMENT CORPORATION

DATE: 6/20/05

SHEET 4 OF 4